

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: VINCENT J. SPECKHART, M.D.
License No. 0101-020185

CONSENT ORDER

By letter dated September 16, 1992, Vincent J. Speckhart, M.D. was notified that pursuant to Sections 54.1-110, 54.1-2400, 54.1-2920 and 9-6.14:12 of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing would be held before a panel of the Virginia Board of Medicine ("Board"). On November 10, 1992, Dr. Speckhart through counsel, moved the Board to convene an informal conference. Said request was granted by notification from the Board dated November 24, 1992, to Dr. Speckhart's counsel.

Pursuant to Sections 9-6.14:11 and 54.1-2919 of the Code, an informal conference was held with Vincent J. Speckhart, M.D. on January 11 and 12, 1993 in Norfolk, Virginia. Members of the Board serving on the informal conference committee ("Committee") were: Thomas A. Wash, M.D., Chairman; Walton M. Belle, M.D.; and Charles H. Crowder, Jr., M.D. Dr. Speckhart was present and was represented by counsel, Patricia M. Schwarzschild, Esq. and Matthew D. Jenkins, Esq. The Board was represented by Howard M. Casway, Assistant Attorney General and Clyde W. Mathews, Jr., Assistant Attorney General. The purpose of the informal conference was to inquire into allegations that Vincent J. Speckhart, M.D. may have violated certain laws governing the practice of medicine in Virginia, as set forth in the Board's notice of informal conference dated September 16, 1992.

Dr. Speckhart was cooperative and at the conclusion of the informal conference, Dr. Speckhart did not admit and specifically denied the allegations as set forth in the Board's notice of hearing; however, in order to avoid the burden and expense of further litigation in this cause, he agrees to the entry of this Order.

FINDINGS OF FACT

Now, having properly considered the matters presented, the Committee makes the following findings of fact:

1. Between the period July 27, 1987 and February 26, 1988, in the treatment of Patient A, who had previously been diagnosed with stage 1-B, squamous cell carcinoma of the cervix, Dr. Speckhart initiated as an adjunctive treatment, immune alteration therapy using an autogenous vaccine regimen which was derived from a urine or stool specimen taken from the patient. Said treatment was without accepted therapeutic purpose.
2. Between the period August 7, 1987 and May 9, 1990, in the treatment of Patient B, who had previously been diagnosed with infiltrating duct cell carcinoma of the left breast, stage II, Dr. Speckhart initiated as an adjunctive treatment, immune alteration therapy using an autogenous vaccine which was derived from a urine or stool specimen taken for the patient. Said treatment was without accepted therapeutic purpose.
3. Between the period June 6, 1990 and December 10, 1991, following a metastasis to the bone, which followed a left mastectomy for a hormone receptor negative carcinoma in 1988, Dr. Speckhart, in treating Patient H, initiated as an adjunctive treatment, immune alteration therapy using an autogenous vaccine which was derived from a urine or stool specimen taken from the patient. Said treatment was without accepted therapeutic purpose.
4. Between the period 1989 through 1991, Dr. Speckhart employed an experimental diagnostic testing procedure, the Electro-Acupuncture of Vol ("EAV") in his practice of medicine to diagnose and treat Patients F, H, I, K, and L.
5. On April 12, 1990, based solely on EAV testing, Dr. Speckhart diagnosed Patient G as suffering from mercury toxicity in the brain and nerves from the amalgams in her teeth; lead toxicity in the lymph nodes and spleen due to chemicals from work, and mitral valve prolapse associated with candida albicans, a yeast infection. Dr. Speckhart thereafter recommended a detoxification

treatment which was without accepted therapeutic purpose and contrary to sound medical judgement.

6. During the period September 23, 1987 through April 28, 1988, Dr. Speckhart treated Patient M with chemotherapy for stage IV, Hodgkin's disease. On or about August 1990 through December 18, 1990, he relied repeatedly, upon an experimental diagnostic test, the EAV, in the treatment of Patient M, in spite of the patient's progressive complaints, which included back pain, night sweats and recurrent fever. Further, he failed to order additional, appropriate diagnostic tests to rule out the recurrence of Hodgkin's disease. On December 28, 1990, Patient M was hospitalized for spasticity of both lower extremities and marked bi-lateral weakness. An emergency MRI revealed a large extradural mass compressing the spinal cord in the mid-thoracic region, secondary to recurrent Hodgkin's disease.

7. By his own admission, Dr. Speckhart, in many instances, failed to maintain complete and adequate patient medical records.

8. Dr. Speckhart no longer employs the autogenous vaccine in the treatment of his oncological patients.

CONCLUSIONS OF LAW

1. Based on the foregoing Findings of Fact, the Committee concluded that Dr. Speckhart violated Section 54.1-2915.A(3) as further defined in Section 54.1-2914.A(9) and (10) of the Code.

2. In addition, the Committee found insufficient evidence to support allegations 3, 5, and 10 of the Board's Notice of Hearing dated September 16, 1992, and therefore voted to dismiss allegations 3, 5 and 10.

CONSENT

I, Vincent J. Speckhart, M.D. by affixing my signature hereto, acknowledge that:

1. I have been specifically advised to seek the advice of counsel prior to signing this document;

2. I am aware that without my consent, no legal action can be taken against me, except pursuant to the Virginia Administrative Process Act, Section 9-6.14:1 et seq., of the Code;

3. I have the following rights, among others: the right to a formal fact finding hearing before the Board, to reasonable notice of said hearing, to representation by counsel, and to cross-examine witnesses against me;

4. I waive all such rights to a formal hearing;

5. I do not admit to and specifically deny the foregoing Findings of Fact and Conclusions of Law, however, I specifically waive my right to contest the Board's Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board; and

6. I consent to the entry of this Consent Order affecting my license to practice medicine in the Commonwealth of Virginia.

ORDER

WHEREFORE, it is hereby ORDERED that the license of Vincent J. Speckhart, M.D. to practice medicine and surgery in the Commonwealth of Virginia be placed on INDEFINITE PROBATION, upon the following terms and conditions:

1. Dr. Speckhart shall not utilize autogenous vaccines in the treatment of his oncological patients. Should he wish to participate as a clinical investigator studying the use of autogenous vaccines under an approved Institutional Review Board, he shall obtain prior approval from the Board of Medicine.

2. Dr. Speckhart shall use the Electro-Acupuncture of Vol ("EAV") only as a clinical investigator and shall not use the EAV in the diagnosis and treatment of medical conditions.

3. Dr. Speckhart shall revise his EAV informed consent form to advise his patients that the accuracy and efficacy of EAV testing has not been scientifically established. The revised consent form shall be provided by Dr. Speckhart to the Board of Medicine for approval within thirty (30) days from the entry of this Consent Order.

4. Dr. Speckhart shall, within one (1) year from the entry of this Consent Order, submit to an audit of his medical practice by a panel of physicians selected by the Board of Medicine. The purpose of the audit is to review Dr. Speckhart's medical practice and determine whether he is improperly relying on the EAV to diagnosis and treat medical conditions.

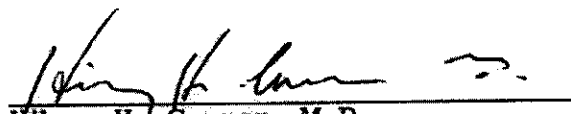
5. Upon receipt of the panel's findings, Dr. Speckhart shall be noticed to appear before an informal conference committee of the Board. Said Committee shall monitor Dr. Speckhart's indefinite probation, determine the frequency of further appearances before it, if any, and shall serve as an instrument of the Board responsible for approving and reviewing all information relative to the terms and conditions of this Consent Order.

6. Dr. Speckhart shall maintain a course of conduct in his practice of medicine commensurate with the requirements of Chapter 29, Title 54.1 of the Code.

Violation of this Consent Order shall constitute grounds for the revocation of the license of Vincent J. Speckhart, M.D. In the event Dr. Speckhart violates any of the terms and conditions of this Consent Order, a formal administrative hearing shall be convened to determine whether the license of Vincent J. Speckhart, M.D. shall be revoked.

Pursuant to Section 9-6.14:14 of the Code, the signed original of this Consent Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection and copying upon request.

FOR THE BOARD:


Hilary H. Connor, M.D.
Executive Director
Virginia Board of Medicine

ENTERED: 4-26-97

SEEN AND AGREED TO:

Vincent J. Speckhart M.D.
Vincent J. Speckhart, M.D.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF NORFOLK, to wit:

Subscribed and sworn to before me, the undersigned Notary Public, in and for the Commonwealth of Virginia at large, this 13th day of April, 1993 by Vincent J. Speckhart, M.D.

Jae L. Luzama
Notary Public

My commission expires: July 31, 1996

RECEIVED: April 26, 1993

Bernard L. Henderson, Jr.
Bernard L. Henderson, Jr., Director
Department of Health Professions

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